

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

**OCEAN RIDGE CAPITAL ADVISORS,
LLC, as Litigation Trustee of THE
MAS LITIGATION TRUST,**

Plaintiff,

v.

**METROPOLITAN LIFE INSURANCE COMPANY, THE
NORTHWESTERN MUTUAL LIFE INSURANCE
COMPANY, CAPITAL D'AMERIQUE CDPQ INC.,
CAISSE DE DEPOT ET PLACEMENT DU QUEBEC,
CSFB LP HOLDING, SKOOG FAMILY INVESTMENTS,
LLC, BANCAMERICA CAPITAL INVESTORS II, L.P.,
WINDWARD/PARK AB III, L.L.C., WINDWARD
CAPITAL PARTNERS L.P., WINDWARD CAPITAL,
ASSOCIATES, L.P., SUEZ CAPITAL PARTNERS II, L.P.,
INDOSUEZ CAPITAL CO-INVEST PARTNERS, L.P.,
SCP II ASSOCIATES, CREDIT SUISSE FIRST BOSTON
(USA), INC., CREDIT SUISSE FIRST BOSTON,
GOLDMAN SACHS CREDIT PARTNERS L.P., JEFFREY
A. ANDERSON, JON F. BAKER, JOSE R. GARCIA,
ROBERT H. BARTON III, H.H. WACASER, PETER S.
MACDONALD, GARY SWENSON, JOHN F. MAYPOLE,
THOMAS GRAHAM, DONALD A. MCKAY, HENRY A.
NICKOL, JEFFREY HODGMAN, A. KIPP KOESTER,
CRAIG VAN ESS, GURMINDER S. BEDI, THOMAS
WALKER, JACK SKOOG AND DEAN VANEK,**

Defendants.

Case No. 07-CV-3213 (SAS)

AFFIRMATION OF SERVICE

BARTLIT BECK HERMAN PALENCHAR & SCOTT LLP
54 West Hubbard Street, 3rd Floor
Chicago, Illinois 60610
Telephone: (312) 494-4400
Facsimile: (312) 494-4440

HALPERIN BATTAGLIA RAICHT, LLP
555 Madison Avenue, 9th Floor
New York, New York 10022
Telephone: (212) 765-9100
Facsimile: (212) 765-0964

I, John D. Byars, **declare under penalty of perjury** that I caused to be served a copy of the attached Motion to Dismiss Counterclaim of Defendants Jack Skoog and Skoog Family Investments, LLC, Plaintiff's Memorandum in Support of Its Motion to Dismiss Counterclaim of Defendants Jack Skoog and Skoog Family Investments, LLC, and Affidavit in Support of Plaintiff's Memorandum in Support of Its Motion to Dismiss Counterclaim of Defendants Jack Skoog and Skoog Family Investments, LLC to counsel of record for all parties on February 20, 2008 by electronically filing with the Court. Notice of this filing will be sent to all parties, listed below, by operation of the Court's electronic filing system:

Mary J. Hackett
REED SMITH LLP
435 Sixth Avenue
Pittsburgh, PA 15219
Telephone: (415) 288-3131
Facsimile: (415) 288-3063

Scott McKessy
Casey D. Laffey
REED SMITH LLP
599 Lexington Avenue, 29th Floor
New York, NY 10022
Telephone: (212) 521-5400
Facsimile: (212) 521-5450

Counsel for Defendants BancAmerica Capital Investors II, LP, Suez Capital Partners II, LP, Indosuez Capital Co-Invest Partners, LP, and SCP II Associates)

John R. O'Keefe, Jr.
METZ LEWIS
11 Stanwix Street
18th Floor
Pittsburgh, PA 15222
Telephone: (412) 918-1100
Facsimile: (412) 918-1199

Counsel for Defendants Robert H. Barton, III and H.H. Wacaser

Yosef J. Riemer
Matthew A. Cantor
Matthew O. Solum
Ami Sheth
KIRKLAND & ELLIS
Citigroup Center
153 East 53rd Street
New York, NY
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

Counsel for Defendants Caisse de Depot et Placement du Quebec and Capital D'Amerique

R. Paul Wickes
Paul S. Hessler
Martin S. Bloor
LINKLATERS LLP
1345 Avenue of the Americas
New York, NY 10105
Telephone: (212) 903-9000
Facsimile: (212) 903-9100

Counsel for Defendants CSFB LP Holding, Credit Suisse First Boston, Inc., Credit Suisse First Boston (USA), and Goldman Sachs Credit Partners, L.P.

Arthur H. Aufses III
Gary P. Naftalis
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
Telephone: (212) 715-9100
Facsimile: (212) 715-8000

Counsel for Defendants Peter S. MacDonald, Gary L. Swenson, John F. Maypole, Thomas Graham, Henry A. Nickol, and Thomas Walker

Gary Meyerhoff
SONNENSCHN NATH & ROSENTHAL LLP
1221 Avenue of the Americas
New York, NY 10020-1089
Telephone: (212) 768-6700
Facsimile: (212) 768-6800

Counsel for Metropolitan Life Insurance Company and Northwestern Mutual Life Insurance Company

Ronald G. DeWaard
Aaron M. Phelps
VARNUM RIDDERING SCHMIDT & HOWLETT LLP
333 Bridge Street N.W.
Grand Rapids, MI 49501
Telephone: (616) 336-6000
Facsimile: (616) 336-7000

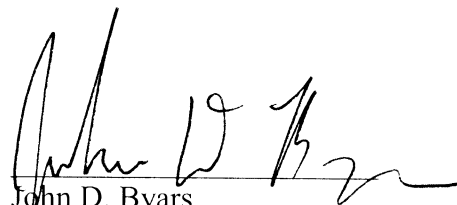
Thomas Heiden
Livia Kiser
LATHAM & WATKINS LLP
Sears Tower, Suite 5800
233 South Wacker Drive
Chicago, IL 60606
Telephone: (312) 876-7700
Facsimile: (312) 993-9767

Counsel for Defendants Skoog Family Investments, LLC, Jack Skoog, and Craig Van Ess

Steven I. Levin
David J. Nathan
Rosemary B. Boller
LEVIN & GLASSER, P.C.
420 Lexington Avenue, Suite 805
New York, NY 10170
Telephone: (212) 867-3636
Facsimile: (212) 661-2446

Counsel for Defendants Windward/Park AB III, Windward Capital Partners, L.P. and Windward Capital Associates, L.P.

Dated: New York, NY
February 20, 2008



John D. Byars
Attorney for Plaintiff

BARTLIT BECK HERMAN
PALENCHAR & SCOTT LLP
54 West Hubbard Street, 3rd Floor
Chicago, Illinois 60610
Telephone: (312) 494-4400
Facsimile: (312) 494-4440